

A JOINT RESOLUTION

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Proposing an amendment to Section 1 of Article 9 of the Constitution of the State of Texas.

Providing that the Legislature may by two-thirds vote create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States census; providing for the ~~admission~~ ^{sub} of such amendment proclamation and publication thereof and making an appropriation of ~~(\$5,000.00, or so much~~ ^{any sum necessary} as may be necessary to pay the expenses of such election.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 1 of Article 9 of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Section 1. The Legislature shall have power to create counties for the convenience of the people subject to the following provisions:

First. In the territory of the State ^{exterior} ~~exterior~~ to all counties now existing, no new counties shall be created with a less area than nine hundred square miles, in a square form, unless prevented by the pre~~existing~~ boundary lines. Should the State lines render this impracticable in border counties, the area may be less. The territory referred to may, at any time, in whole or in part, be divided into counties in advance of population and attached, for judicial and land surveying purposes, to the most convenient organized county or counties.

Second. Within the territory of any county or counties now existing, the Legislature may by a two-thirds vote of both Houses, create new counties, combine existing counties and parts of counties and abolish existing counties and change county boundaries at will, provided that no new county shall be created with an area of less than nine hundred square miles nor shall any existing county be reduced in area so as to contain less than nine

Engraved
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hundred square miles, unless such new county or such remaining county, and both shall have a population of not less than fifty thousand according to the last United States census prior to the date of the creation or change of such county. When any part of a county is stricken off and attached to, or created into another county, the part stricken off shall be holden for and obliged to pay its proportion of all the liabilities then existing, of the county from which it was taken, in such manner as may be prescribed by law."

Section 2. The foregoing amendment to the Constitution shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State on the first Tuesday after the first Monday in November, 1934. At this election all voters favoring said proposed amendment shall write, or have printed, on that ballot the words:

"For the amendment to Section 1 of Article 9 of the Constitution of Texas, providing that the Legislature may by two-thirds vote of both Houses create new counties and change the boundaries of existing counties."

Those voters opposing said proposed amendment shall write, or have^{printed} on their ballot the words:

"Against the amendment to Section 1 of Article 9 of the Constitution of Texas, providing that the Legislature may by two-thirds vote of both Houses create new counties and change the boundaries of existing counties."

Section 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election, and to have same published as required by the Constitution and amendments thereto.

Section 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds of the State of Texas, not otherwise appropriated, to pay the expenses of any such election.

Engrossed

Committee Room,

March 9, 1933

Hon. Edgar E. Witt,
President of the Senate.

Sir:

We, your Committee on Constitutional
Amendments, to whom was referred S. J. R. No. 21,

"Proposing an amendment to Section 1 of Article
9 of the Constitution of the State of Texas, providing
that the Legislature may by two-thirds vote create new
counties and change the boundaries of existing counties;"

Have had the same under consideration
and I am instructed to report it back to the Senate with
the recommendation that it do pass and be printed.


Chairman.

Engrossed

By Poage

S. J. R. No. 21

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1 OF ARTICLE 9 OF THE
CONSTITUTION OF THE STATE OF TEXAS

Providing that the Legislature may by two-thirds vote create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States census; providing for the submission of such amendment proclamation and publication thereof and making an appropriation of Five Thousand (\$5,000.00) Dollars, or so much as may be necessary to pay the expenses of such election.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 1 of Article 9 of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Section 1. The Legislature shall have power to create counties for the convenience of the people subject to the following provisions:

First. In the territory of the State exterior to all counties now existing, no new counties shall be created with a less area than nine hundred square miles, in a square form, unless prevented by the preexisting boundary lines. Should the State lines render this impracticable in border counties, the area may be less. The territory referred to may, at any time, in whole or in part, be divided into counties in advance of population and attached, for judicial and land surveying purposes, to the most

convenient organized county or counties. _____

Second. Within the territory of any county or counties now existing, the Legislature may by a two-thirds vote of both Houses, create new counties, combine existing counties and parts of counties and abolish existing counties and change county boundaries at will, provided that no new county shall be created with an area of less than nine hundred square miles nor shall any existing county be reduced in area so as to contain less than nine hundred square miles, unless such new county or such remaining county, and both shall have a population of not less than fifty thousand according to the last United States census prior to the date of the creation or change of such county. When any part of a county is stricken off and attached to, or created into another county, the part stricken off shall be holden for and obliged to pay its proportion of all the liabilities then existing, of the county from which it was taken, in such manner as may be prescribed by law.

Third Amendment (new)

Section 2. The foregoing amendment to the Constitution shall be submitted to a vote of the qualified electors of this State at an election to be held throughout the State on the first Tuesday after the first Monday in November, 1934. At this election all voters favoring said proposed amendment shall write, or have printed, on that ballot the words: _____

"For the amendment to Section 1 of Article 9 of the Constitution of Texas, providing that the Legislature may by two-thirds vote of both Houses create new counties and change the boundaries of existing counties." _____

Those voters opposing said proposed amendment shall write, or have printed on their ballot the words: _____

S. J. R. No. 21

"Against the amendment to Section 1 of Article 9 of the Constitution of Texas, providing that the Legislature may by two-thirds vote of both Houses create new counties and change the boundaries of existing counties."

Section 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election, and to have same published as required by the Constitution and amendments thereto.

Section 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds of the State of Texas, not otherwise appropriated, to pay the expenses of any such election.

March 21, 1933

Hon. Edgar E. Witt,
President of the Senate.

WE, YOUR COMMITTEE ON ENGROSSED BILLS
have had Senate Joint Resolution No. 21, carefully
examined and compared and find same correctly Engrossed.



CHAIRMAN

Engrossed Order

after Amend Senate Joint Resolution No. 21 by adding ~~to~~
~~the end of~~ Section Two thereof the following:

[Third: No part of any existing county shall be detached from it and attached to another existing county until the proposition for such change shall have been submitted in such manner as may be provided by law, to a vote of the electors of both counties and shall have received a majority of those voting on the question in each.]

By Holbrook

ADOPTED: APR 4 1933
[Signature]
Secretary of the Senate.

Enrolled

COMMITTEE ROOM

Date April 5, 1933

Hon. Coke Stevenson,
Speaker of the House of Representatives,

Sir:

We, your Committee on Constl Amendments,
to whom was referred S. J. R. B. No. 21, have had
same under consideration and beg to report back with
recommendation that it do pass, and be.....printed

Moffett

Chairman.

Enrolled

1 By Poage. S. J. R. No. 21.

2 [In the Senate.—March 2, 1933, read first time and referred to
3 Committee on constitutional amendments; March 13, 1933, re-
4 ported favorably; March 21, 1933, read second time, and ordered
5 engrossed; March 21, 1933, reported engrossed; April 4, 1933,
6 read third time, amended and passed by the following two-thirds
7 vote: yeas 30, nays 0; April 4, 1933, sent to House.]

8 BOB BARKER,
9 Secretary of the Senate.

10 March 21, 1933, engrossed.

11 ESSIE MCGINNIS,
12 Engrossing Clerk.

13 [In the House.—April 4, 1933, received from the Senate, read
14 first time and referred to Committee on Constitutional Amend-
15 ments; April 5, 1933, reported favorably; April 6, 1933, sent to
16 printer.]

17 A JOINT RESOLUTION

18 *Proposing an amendment to Section 1 of Article 9 of the Con-*
19 *stitution of the State of Texas*

20 *Providing that the Legislature may by two-thirds vote create*
21 *new counties and change the boundaries of existing counties;*
22 *providing that no county shall be created with less than an*
23 *area of 900 square miles, nor shall any existing county be*
24 *reduced to less than 900 square miles, unless such county shall*
25 *contain a population of more than 50,000, according to the*
26 *last United States census; providing for the submission of*
27 *such amendment proclamation and publication thereof and*
28 *making an appropriation of Five Thousand (\$5,000.00) Dol-*
29 *lars, or so much as may be necessary to pay the expenses of*
30 *such election.*

31 Be it resolved by the Legislature of the State of Texas:

32 SECTION 1. That Section 1 of Article 9 of the Constitution
33 of the State of Texas, be amended so as to hereafter read as
34 follows:

35 "Section 1. The Legislature shall have power to create coun-
36 ties for the convenience of the people subject to the following
37 provisions:

38 First. In the territory of the State exterior to all counties
39 now existing, no new counties shall be created with a less area
40 than nine hundred square miles, in a square form, unless pre-

1 vented by the preexisting boundary lines. Should the State lines
2 render this impracticable in border counties, the area may be
3 less. The territory referred to, may, at any time, in whole or
4 in part, be divided into counties in advance of population and
5 attached, for judicial and land surveying purposes, to the most
6 convenient organized county or counties.

7 Second. Within the territory of any county or counties now
8 existing, the Legislature may by a two-thirds vote of both
9 Houses, create new counties, combine existing counties and parts
10 of counties and abolish existing counties and change county
11 boundaries at will, provided that no new county shall be cre-
12 ated with an area of less than nine hundred square miles nor
13 shall any existing county be reduced in area so as to contain
14 less than nine hundred square miles, unless such new county
15 or such remaining county, and both shall have a population of
16 not less than fifty thousand according to the last United States
17 census prior to the date of the creation or change of such
18 county. When any part of a county is stricken off and attached
19 to, or created into another county, the part stricken off shall be
20 holden for and obliged to pay its proportion of all the liabilities
21 then existing, of the county from which it was taken, in such
22 manner as may be prescribed by law."

23 ~~SEC. 2.~~ ^{Third (C.F.R. Amendment)} The foregoing amendment to the Constitution shall
24 be submitted to a vote of the qualified electors of this State
25 at an election to be held throughout the State on the first Tues-
26 day after the first Monday in November, 1934. At this election
27 all voters favoring said proposed amendment shall write, or
28 have printed, on that ballot the words:

29 "For the amendment to Section 1 of Article 9 of the Consti-
30 tution of Texas, providing that the Legislature may by two-
31 thirds vote of both Houses create new counties and change the
32 boundaries of existing counties."

33 Those voters opposing said proposed amendment shall write,
34 or have printed on their ballot the words:

35 "Against the amendment to Section 1 of Article 9 of the Con-
36 stitution of Texas, providing that the Legislature may by two-
37 thirds vote of both Houses create new counties and change the
38 boundaries of existing counties."

39 SEC. 3. The Governor of the State of Texas is hereby directed
40 to issue the necessary proclamation for said election, and to have

1 same published as required by the Constitution and amendments
2 thereto.

3 SEC. 4. The sum of Five Thousand (\$5,000.00) Dollars, or
4 so much thereof as may be necessary, is hereby appropriated
5 out of any funds of the State of Texas, not otherwise appro-
6 priated, to pay the expenses of any such election.

7
8 ENGROSSED RIDER.

9 Amend Senate Joint Resolution No. 21 by adding after Section
10 Two thereof the following:

11 Third: No part of any existing county shall be detached
12 from it and attached to another existing county until the propo-
13 sition for such change shall have been submitted in such man-
14 ner as may be provided by law, to a vote of the electors of both
15 counties and shall have received a majority of those voting on
16 the question in each.

17
18 COMMITTEE REPORT.

19 COMMITTEE ROOM,

20 Austin, Texas, April 5, 1933.

21 *Hon. Coke Stevenson, Speaker of the House of Representatives.*

22 SIR: We, your Committee on Constitutional Amendments, to
23 whom was referred S. J. R. No. 21,

24 Have had same under consideration and beg to report back
25 with recommendation that it do pass, and be printed.

26 MOFFETT, Chairman.

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April 12, 1933

Hon. Edgar E. Witt,
President of the Senate.

WE, YOUR COMMITTEE ON ENROLLED BILLS
have had Senate Joint Resolution No. 21, carefully
examined and compared and find same correctly Enrolled.



C H A I R M A N

A JOINT RESOLUTION

Proposing an amendment to Section 1 of Article 9 of the Constitution of the State of Texas.

Providing that the Legislature may by two-thirds vote create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States census; providing for the submission of such amendment proclamation and publication thereof, and making an appropriation of \$5,000.00, or so much as may be necessary to pay the expenses of such election.

MAR 2 1933 Read first time
and referred to Committee
on Constitutional Amendments

MAR 13 1933 Reported Favorably

MAR 21 1933 Read second time,

and ordered engrossed

Engrossed 3-21-33

Cessie McGinnis
Engrossing Clerk.

By Poage

Box 10
S. J. R. No. 21

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1 OF ARTICLE 9 OF THE

CONSTITUTION OF THE STATE OF TEXAS

Providing that the Legislature may by two-thirds vote create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States census; providing for the submission of such amendment proclamation and publication thereof and making an appropriation of Five Thousand (\$5,000.00) Dollars, or so much as may be necessary to pay the expenses of such election.

3-2-33 Read first time and referred to Committee on Constitutional Amendments.

3-13-33 Reported favorably.

3-21-33 Read second time, and ordered engrossed.

Bob Barker,
Secretary of the Senate.

3-21-33 Engrossed.

Essie McJinnis
ENGROSSING CLERK

MAR 21 1933

Reported engrossed.

APR 4 - 1933 Read 3rd time, amended and passed by the following two-thirds vote yeas 30 - nays 20
Bob Barker,
Secretary of the Senate

APR 4 - 1933 SENT TO HOUSE

IN THE HOUSE

APR 4 1933 Received from the Senate, read first time and referred to Committee on

Constitutional Amendments

APR 5 1933 Reported favorably

APR 6 1933 Sent to Printer,

APR 8 1933 Returned from Printer, Sent to Speaker,



APR 12 1933

READ AND PASSED
FINALLY BY FOLLOWING VOTE

YES 30 NAYS 20

Lewis Snow Phelan

CHIEF CLERK
House of Representatives

APR 12 1933 Sent to Senate

IN THE SENATE
APR 12 1933 Received from the House.

Enrolled 4-12-33
Essie McJinnis
Enrolling Clerk